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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DESHUN THOMAS, individually, and as Natural
Parent and Guardian for LOZORYA JONES, and
KRISTIN WOODS as Co-Guardian Ad Litem for
LOZORYA JONES,

Plaintiffs,

vs.

BEVERLY DADE, in her official capacity;
RICHARD FULLER, in his official capacity;
PATTI SCHULTZ, in her official capacity; PAT
SKORKOWSKY, in his official capacity;
HELEN J. STEWART SCHOOL; and CLARK
COUNTY SCHOOL DISTRICT, a Political
Subdivision of the State of Nevada, DOE
TEACHER'S AIDE in his/her official capacity,
DOES I through X, inclusive; and ROES I
through X, inclusive,

Defendants.

CASE NO.: 2:19-cv-00282-APG-PAL

STIPULATION AND ORDER
(SECOND REQUEST)

IT IS HEREBY STIPULATED by and between the parties hereto, through their respective
counsel of record, that the deadline for Plaintiffs to file their response to Defendants Motion to
Dismiss Complaint (Dkt. 7, filed 02/22/2019), currently due March 20, 2019 be extended through
March 27, 2019.



1 This is Plaintiffs' second request for an extension. On March 6, 2019 Plaintiffs' counsel
2 John C. Funk, Esq., contacted opposing counsel, Crystal Herrera, Esq., requesting an extension as a
3 professional courtesy. Plaintiffs' counsel requested the extension of time to respond based upon
4 various personal and professional deadlines. Plaintiffs' counsel John C. Funk, was married on
5 March 16, 2019 and had been heavily involved in planning, coordinating and combining households
6 all of which had specific deadlines.
7

8 Plaintiffs' counsel had spent his evenings moving, planning and preparing for family who
9 traveled in from out of state to Nevada for the wedding. Rather than going on his honeymoon
10 Plaintiffs' counsel returned to work on Monday March 18, 2019 to work on all of his cases.
11 Plaintiffs' counsel had been conducting research on this case in preparation for the opposition. Later
12 during the day, the firm had an office meeting to discuss the new changes to the state rules. During
13 the meeting various calendaring deadlines and changes were discussed under the new rules.
14 Plaintiffs' counsel learned that he had seven different motions, oppositions, replies that were due this
15 week on other matters. For example, Plaintiffs learned there was a motion to enforce settlement and
16 for sanctions on a different matter where Plaintiffs' counsel were not even served with a copy of the
17 motion. Defense counsel agreed to vacate the hearing and give Plaintiff time to file a written
18 response which is due this week. Plaintiffs' counsel was not involved in the prior negotiations and
19 has had to illicit the help of the firm's IT department to recover all the old emails from the prior
20 attorney, who is no longer with the firm, who had negotiated the case. There were technical
21 difficulties with the back up which had to be restored to allow access to the old emails in order to
22 draft a response.
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25 The issues raised in the instant motion to dismiss in this matter are more complex than a
26 standard general negligence cause of action. Plaintiffs' counsel anticipates it will take an additional
27 2-3 days to conduct the necessary research of the law on the issues raised by defense counsel in
28 order to formulate an appropriate response.

1 Therefore, the parties have agreed to a further extension up until March 27, 2019. Plaintiffs
2 submit their request is made and based upon good faith without purpose for undue delay.

3 DATED this 19th day of March, 2019.

DATED this 19th day of March, 2019.

4 GANZ & HAUF

CLARK COUNTY SCHOOL DISTRICT
OFFICE OF THE GENERAL COUNSEL

5 */s/ Marjorie Hauf, Esq.*

/s/ Crystal J. Herrera, Esq.

6
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16 IT IS SO ORDERED.

17 Dated: 3/19/2019

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UNITED STATES DISTRICT COURT JUDGE